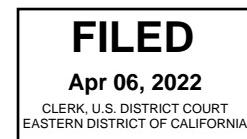


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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

10 IN THE MATTER OF THE APPLICATION
11 OF THE UNITED STATES FOR AN ORDER
12 AUTHORIZING THE INSTALLATION AND
13 USE OF POLE CAMERAS NEEDED FOR A
14 CRIMINAL INVESTIGATION

CASE NO. 1:22-SW-00017-SKO
1:22-SW-00023-SAB
[~~PROPOSED~~] ORDER

UNDER SEAL

ORDER

This matter comes before the Court pursuant to the application of the United States, under the All Writs Act, Title 28, United States Code, Section 1651(a), requesting an Order be issued:

1. Authorizing the continued installation, maintenance and use of video equipment on three separate utility poles. The pole cameras shall be used to conduct and record visual surveillance of activities along the public thoroughfare and the exterior (the latter meaning areas that can be observed by normal surveillance from a public vantage point) of the surrounding area for a period of 90 days.

2. The utility pole for Location #1 is located behind 1338 S. Union, in the city of Bakersfield, California. The utility pole has a view of the railroad tracks directly below it, the west perimeter of 200 E. Casa Loma Drive, Bakersfield, California, and the back fence line/gate to the rear of Location #1. The utility pole is owned by PG&E and is located on the property owned by the city of Bakersfield.

3. The utility pole for Location #2 is located on the corner of the alley way near 301 Orange Street, Arvin, California 93203, in Arvin, California. The utility pole has no visible pole number

1 displayed. The pole has a view of the intersection of Stockton Avenue and Orange Avenue, a view of
2 Stockton Avenue north of Orange Avenue, a view of the southeast corner of Location #2, and the area
3 directly below and in front of the pole. The utility pole is owned by PG&E and is located on the
4 property owned by the city of Arvin.

5 4. The utility pole for Location #3 is located on the northwest corner of 6901 Di Giorgio
6 Road, in the city of Lamont, California. The utility pole has a view of Di Giorgio Road east and west
7 from Pierce Drive, a view directly north of Di Giorgio Road, and the west fence line/entry gate of
8 Location #3. The utility pole is owned by PG&E and is located on the property owned by the city of
9 Lamont.

10 5. Directing PG&E and the cities of Bakersfield, Arvin, and Lamont to furnish agents of
11 Homeland Security Investigations (HSI) forth with all of the information, facilities and technical
12 assistance necessary to accomplish the installation, maintenance and use of the video equipment. The
13 Court finds that the United States has offered specific and articulable facts showing that there are
14 reasonable grounds to believe that the information likely to be obtained by the installation and use of the
15 requested video equipment relevant and material to an ongoing criminal investigation by Homeland
16 Security Investigations (HSI), in conjunction with the Drug Enforcement Administration (DEA) and the
17 Kern County Sheriff's Office (KCSO) (collectively, the "Investigating Agencies"), and others in
18 connection with various offenses in violation of Title 21, United States Code, Sections 841 and 846.
19 Accordingly:

20 IT IS HEREBY ORDERED, pursuant to 28 United States Code, Section 1651(a), that the
21 Investigating Agencies are authorized to install, maintain, and use the requested video equipment on the
22 aforementioned utility poles to conduct surveillance of the public thoroughfare and the exterior of the
23 surrounding areas of Location #1, Location #2, and Location #3 for a period of 90 days;

24 IT IS FURTHER ORDERED, that PG&E and the cities of Bakersfield, Arvin, and Lamont shall
25 provide the Investigating Agencies forthwith with all of the information, facilities and technical
26 assistance necessary to accomplish the installation, maintenance, and use of the video equipment with a
27 minimum of interference with services presently provided by means of the utility poles; and
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1 IT IS FURTHER ORDERED, that PG&E and the cities of Arvin and Lamont shall be
2 compensated by Homeland Security Investigations (HSI) for reasonable expenses incurred in providing
3 technical assistance; and

4 IT IS FURTHER ORDERED that in the event that the cities of Bakersfield, Arvin, and Lamont
5 and/or PG&E objects to this Order, it shall have the right to apply forthwith to the Court ex parte for
6 whatever relief or modification it deems essential under the Order and its obligation to comply with this
7 Order shall be stayed until the Court rules on any such objection; and

8 IT IS FURTHER ORDERED that this Order and the Application be filed and maintained
9 UNDER SEAL until further order of the Court, and that PG&E, the cities of Bakersfield, Arvin, and
10 Lamont, and their agents and employees, shall not disclose to any other person the existence of this
11 Order, the Application, the camera or this investigation, unless and until otherwise ordered by the Court.
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14 Dated: 4/6/22



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16 The Honorable Barbara A. McAuliffe
17 United States Magistrate Judge
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